

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

HUNTERS CAPITAL, LLC, et al.,

Plaintiffs,

V₃

CITY OF SEATTLE,

Defendant.

C20-983 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) Oral argument (to be conducted in person, at the United States Courthouse in Seattle) on Plaintiffs' motion for class certification, docket no. 65, is SET for Wednesday, April 20, 2022, at 10:00 a.m.

(2) Counsel should be prepared to focus their oral argument on the following:

a. Whether named plaintiffs Greenus Building, Inc., Madrona Real Estate Investors IV LLC, and Madrona Real Estate Investors VI LLC are members of the proposed Class. Plaintiffs did not address these entities in their motion for class certification or include them in their chart of named plaintiffs. *See* Ex. 3 to Weaver Decl. (docket no. 66-1).

b. Whether Plaintiffs intend to pursue their claims in this action for properties located outside the proposed class area. Hunters Capital LLC's Dunn Motors Building (501 E Pike St), Greenus Building (500 E Pike St), and Colman Building (401 E Pike St) are located outside the proposed class area. Redside Partners LLC's building at 1323 E Pine St is located outside the proposed class area.

c. The application of Federal Rule of Civil Procedure 23 to Plaintiffs' claims. Counsel should focus on the commonality and typicality requirements under Rule 23(a)(2) and (3).

d. Proposed methods for case management if: (i) the Court denies Plaintiffs' motion for class certification, or (ii) some named plaintiffs are not members of the proposed Class.

(3) The Clerk is directed to send a copy of this Minute Order to all counsel of record.

Dated this 17th day of March, 2022.

Ravi Subramanian
Clerk

s/Gail Glass
Deputy Clerk